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UNITED STATES  
DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

Land Protection Plan

ZION NATIONAL PARK

Prepared and Recommended by:

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Superintendent

6/8/84  
Date

Reviewed and Approved by:

Jack Nichols  
Acting Regional Director  
Rocky Mountain Region

11/2/84  
Date



ZION NATIONAL PARK  
LAND PROTECTION PLAN  
TABLE OF CONTENTS

|                                                                                | Page  |
|--------------------------------------------------------------------------------|-------|
| Plan Summary.....                                                              | 1-2   |
| I.    Introduction.....                                                        | 3-4   |
| Regional Map.....                                                              | 5     |
| II.   Purpose of the Park and Resources to be Protected.....                   | 6     |
| Planned Resource Management and Visitor<br>Use Objectives.....                 | 7-8   |
| III.  Non-Federal Ownerships and Uses.....                                     | 9     |
| 1.  Grazing Inholdings Group.....                                              | 9     |
| 2.  Potential Development Group.....                                           | 9     |
| 3.  Recreational Cabin Sites Group.....                                        | 10    |
| 4.  Commercial Inholdings Group.....                                           | 10    |
| 5.  Mineral Estates Group.....                                                 | 10    |
| 6.  State Lands Group.....                                                     | 10    |
| Compatible and Incompatible Uses.....                                          | 11-12 |
| External Conditions and Activities.....                                        | 12-13 |
| Acreages and Methods of Acquisition to Date<br>and Reserved Uses.....          | 13-14 |
| Socio-Economic Assessment.....                                                 | 14-16 |
| Ownership and Use Map.....                                                     | 17    |
| IV.   Protection Alternatives.....                                             | 18-20 |
| V.    Recommendations by Group Priority.....                                   | 21-27 |
| APPENDIX "A"    Chart of Land Protection Recommendations,<br>by Group Priority |       |
| APPENDIX "B"    Enabling Legislation                                           |       |
| APPENDIX "C"    Photographs                                                    |       |

APPENDIX "D"     Sample Conservation Easement

APPENDIX "E"     Environmental Assessment

# LAND PROTECTION PLAN SUMMARY

## ZION NATIONAL PARK

|    |                                                                                  |                                               |        |
|----|----------------------------------------------------------------------------------|-----------------------------------------------|--------|
| 1. | <u>Current Ownership</u>                                                         | <u>Acres</u>                                  |        |
|    | Federal (NPS) Jurisdiction                                                       | 142,793.96                                    |        |
|    | Private (Land)                                                                   | 3,757.14                                      |        |
|    | Private (Minerals-acreage included in private land)                              | (4.39)                                        |        |
| 2. | <u>Number of Tracts Remaining to be Protected</u>                                |                                               |        |
|    | All 36 privately owned tracts need to be protected                               |                                               |        |
| 3. | Methods of Protection Proposed<br>(see note below)                               | <u>Percent</u><br><u>Short Term Long Term</u> |        |
|    | Fee Acquisition by NPS<br>(land only)                                            | 0%                                            | 8.88%  |
|    | Fee Acquisition by NPS<br>(Mineral Interest only)                                | NONE                                          | 100%   |
|    | Areas suitable for sellback<br>or leaseback (not permitted<br>in National Parks) | NONE                                          | NONE   |
|    | Less-than-fee<br>(easement acquisition)                                          | 8.75%                                         | 91.12% |
|    | Zoning                                                                           | NONE                                          | NONE   |
|    | Cooperative Agreement                                                            | 91.25%                                        | NONE   |
|    | Regulations (two mineral<br>tracts only)                                         | 100%                                          | NONE   |

NOTE: The protection method percentages shown above are the minimums deemed necessary for resource protection in the long and short term. The classification "NO ACTION" (continuation of current management policy) is not shown since that method will automatically result if it is not possible to negotiate any type of cooperative agreement or easement acquisition and an existing, compatible use remains unchanged. On the other hand, individual circumstances or emergency conditions could dictate a change to acquisition of a greater controlling interest in the long term.

### 4. Statutory Acreage Ceiling

The current authorized acreage in Zion National Park is 146,551.10 acres.

5. Funding Status

This is an inholding area, so there is no authorized ceiling, no specific appropriations and no unobligated balance.

6. Priorities for Protection

1. Work with inholders to establish understanding on issues and strive toward establishing agreements to protect resource values. This assumes all tracts within a grouping have equal priority. It also assumes that no emergency or hardship situation exists.
2. Emergency situations where action by the park is necessary because some form of incompatible use has been initiated which would have adverse resource consequences.
3. Hardship cases.
4. Opportunity purchases from voluntary sellers when no emergency exists.

## I. INTRODUCTION

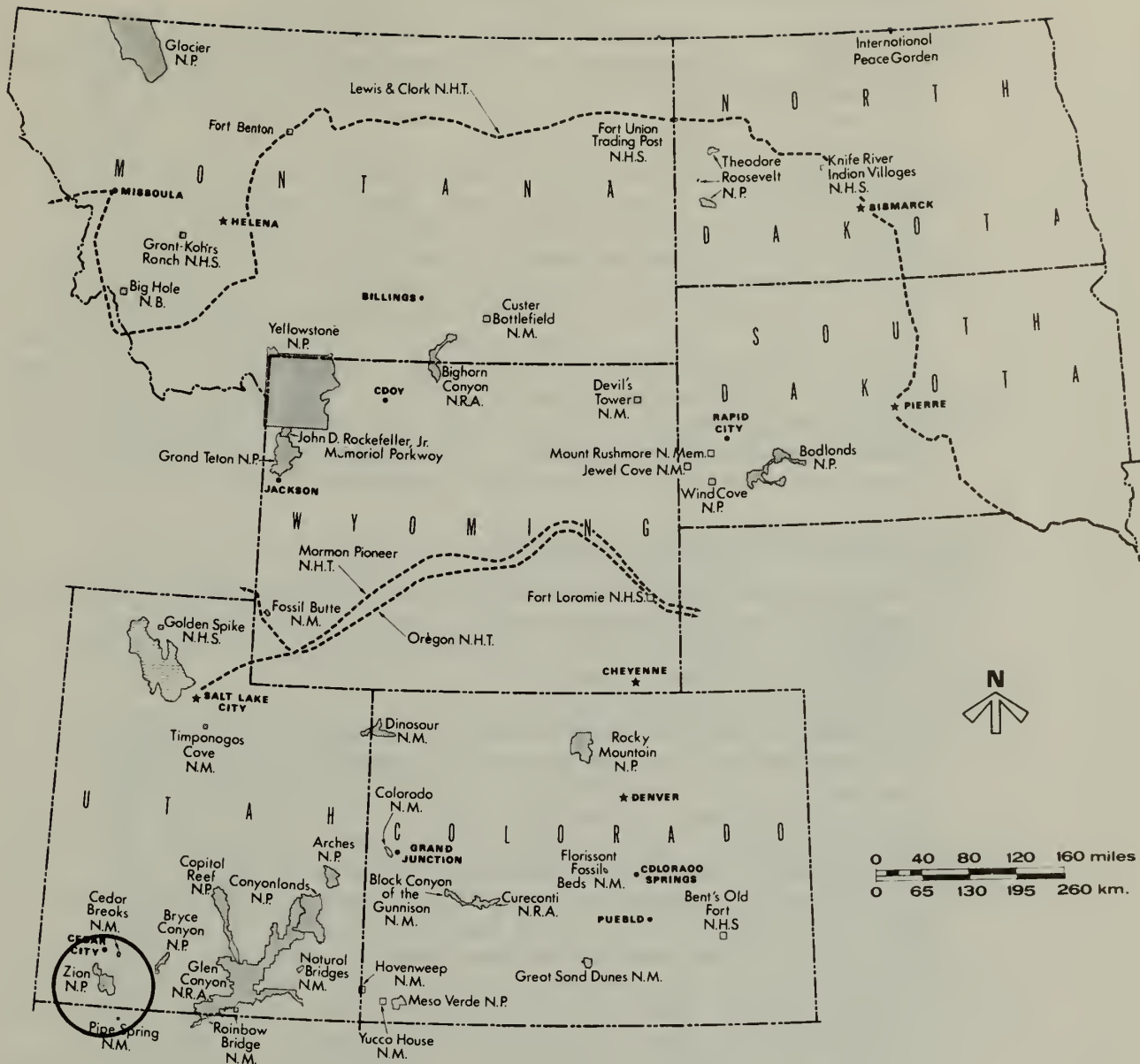
- (A) In April of 1979, the National Park Service published in the Federal Register, a Land Acquisition Policy which set forth in general terms the guidelines for acquisition of non-Federal lands and interests in land in approximately 120 units of the National Park System. This 1979 policy also required that in each area of the system having an active land acquisition program, a "Land Acquisition Plan" would be developed which would contain specific plans and policies for that individual area. The Land Acquisition Plan for Zion National Park was developed by park staff and approved by the Regional Director, Rocky Mountain Region on June 18, 1980.

In May of 1982, the Department of the Interior published in the Federal Register, a new policy statement for the "Use of the Federal Portion of the Land and Water Conservation Fund". This new policy applies to the National Park Service and, among other things, requires that all Land Acquisition Plans be updated and revised to (1) change the name to "Land Protection Plan"; (2) more specifically identify the lands which need to be in Federal ownership to achieve management purposes and public objectives; (3) use, to the maximum extent possible, cost effective alternatives to direct Federal purchase and, when acquisition is necessary, acquire only the minimum interest needed to meet management goals; (4) cooperate with landowners, other Federal, State and local governments and the private sector to manage land for public uses or protect it for resource conservation, and ;(5) assure that the plans for land acquisition and resource use or protection consider the attendant socio-cultural impacts and that the most outstanding areas are adequately managed.

- (B) On January 3, 1983, the National Park Service published in the Federal Register, its own "Land Protection Policy". This notice withdrew the previous "Land Acquisition Policy" and set in motion the procedures which, in accordance with the new Departmental Policy, will eventually produce an approved Land Protection Plan for each area of the National Park System having non-Federal land within its boundaries. The final "Interpretive Plans" for preparation of the new Plans were published in the Federal Register on May 11, 1983.

In view of the anticipated shortages of appropriated funds and in view of the fact that congressional mandates to preserve and protect our authorized National Park Service areas still stand, the National Park Service is seeking alternative ways to accomplish its goals. Among the issues which confront the park are concerns for resource protection in the park. These include grazing impacts on park vegetative communities, the associated wildlife disruption and competition for food and the watershed alterations evidenced by erosion which ultimately affects the entire ecosystem regime. Land Protection Plans will be reviewed on a biennial basis and revised as necessary to reflect changes in conditions.

- (C) This Land Protection Plan should not be interpreted as an offer to purchase land or interests in land. It will generally serve as a guide in subsequent activities. It is subject to availability of funds and other constraints and does not diminish the rights of any non-Federal landowner.



## Legend

- Locations of Major Cities
- \* Locations of State Capitals
- State Boundary Lines
- National Park Service Areas
- National Park Service Historical Trails

## ROCKY MOUNTAIN REGION

National Park Service  
United States Department  
of the Interior

## II. PURPOSE OF THE PARK AND RESOURCES TO BE PROTECTED

- (A) The erosional features of the area were originally protected by Presidential Proclamation No. 877 on July 31, 1909, when President Taft established Mukuntuweap National Monument. In 1918, the monument was enlarged and the name was changed to Zion National Monument. The area was enlarged at this time for the purpose of protecting "... features of unusual archeological, geological and geographic interest ..." and to provide opportunities for visitor enjoyment of its grandeur and scenic features. The proclamation also states that the entire area should be preserved intact for the purpose of scientific research and for enjoyment and enlightenment of the public. The monument received National Park status in 1919. A proclamation in 1937 created Zion National Monument to the northwest of the park, preserving the Kolob Finger Canyons. An Act of Congress in 1956 combined the two units. In 1960, several small parcels of land were added to the park to form present day Zion National Park. (See Appendix B for copies of the Enabling Legislation and Proclamations.)
- (B) Significance of Park Resources

Zion National Park is a natural area and is planned and managed as such, by a resident Superintendent, in accordance with the administrative policies for this category as set forth in the various acts of establishment.

The park is situated on the western extremity of the Colorado Plateau Province and encompasses the southern and western perimeter of the Kolob Terrace, a southern extension of the Markagunt Plateau, which is delineated by the Hurricane Fault on the west and the Sevier Fault on the east. Because of the downcutting of the Virgin River, Zion Canyon provides an outstanding display of exposed Triassic and Jurassic sediments; the most spectacular of which is the 2000 foot thick Navajo sandstone. These formations continue west and north of Zion proper to the Kolob "finger" canyons, where the Navajo sandstone cliffs take on added color and vie with the folding and faulting for attention. A secondary geologic feature, but hardly less spectacular than the sedimentary rocks, is the volcanism which is evidenced especially in the western section of the park by lava flows and cinder cones representing many different ages.

The park comprises an area of 146,551.10 acres and ranges in elevation from 3700 feet to 8700 feet, representing four life zones; Lower and Upper Sonoran, the Transition and a limited area of the Canadian Zone. Wildlife is very diverse in Zion with 72 species of mammals, 271 species of birds, 26 species of reptiles, 7 species of fish and a large number of invertebrates. The endangered peregrine falcon has been found nesting in the park. The endangered bald eagle winters in the area. Several species that are considered as sensitive or limited by the State of Utah are found in the park. These are the spotted owl and the Virgin River spinedace. Nine species of plants have been identified as

sensitive or limited and should receive protection from impact. At this time, no known surveys have been conducted on any of the private lands and therefore, it is unknown if any endangered or threatened species are found on the inholdings covered by this plan.

Zion has been in contact with the Fish and Wildlife Service team in Salt Lake City, Utah. The basics of the plan were discussed and the Fish and Wildlife Service felt the plan would benefit endangered species and had no suggested changes. Endangered and sensitive species are among Zion's most precious resources and will be monitored and protected.

Recent archeological studies suggest that there may be more prehistoric sites in Zion National Park than were indicated during archeological studies in the 1930's. Parunuweap Canyon contains at least 33 recorded sites. An excellent petroglyph site lies just off the East Entrance approach road.

History plays a comparatively minor but fascinating role in the Zion story. A number of sites lend understanding of the struggles of the Mormon and other early settlers; most notable is the cable works atop Cable Mountain. This fragile structure remains from the turn of the century, when lumber was lowered from the high plateaus to the canyon floor. In connection with the cable works, there are abandoned lumber mill sites at Sawmill Spring and Stave Spring. Other historic sites include the oil rig in Coalpits Wash, irrigation canals in Pine Creek and Zion Canyon and at least two pioneer trails in Parunuweap Canyon.

- (C) The National Park Service is authorized to acquire privately owned land within the boundary of Zion National Park through the acts establishing Zion National Park and other Federal statutes dealing with the acquisitions of land for public purposes. Principal among these statutes are the Act of Congress approved November 19, 1919, (41 Stat. 356); Act of August 25, 1916 (U.S.C. Title 16, Section 345); Act of June 7, 1924 (43 Stat. 593); Act of June 13, 1930 (46 Stat. 582); U.S.C. Title 16, Section 346a (Supp. 6); Act of July 11, 1956 (70 Stat. 527); Act of February 20, 1960 (74 Stat. 4); U.S.C. Title 16, Section 346-a2 (Supp. II); and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P.L. 91-646 (84 Stat. 1894). There are no legislative restraints on land acquisition nor are there any appropriation ceilings. All land acquisition has been and will continue to be funded through the "Inholding Fund", a single fund which covers such activities in all inholding areas (areas established prior to July 1, 1959) throughout the National Park System.
- (D) The following is a brief list of planned resource management and visitor use objectives for Zion National Park. For a more complete listing, please refer to the Statement for Management for Zion, approved January 28, 1982.

### Natural Resources Conservation

- To protect and enhance the natural scenic values of the park and to secure a land base adequate to achieve the park's purpose.
- To maintain the quality and flow of water from all natural water sources that have been traditionally important in serving visitor needs and domestic uses both inside and outside the park and in perpetuating the park's ecological communities.
- To the degree possible, to restore and perpetuate the native plant and animal life that existed prior to its disturbance by European man.

### Preservation of Cultural Resources

- To identify, evaluate, monitor, preserve and interpret the park's cultural resources in a manner consistent with historic preservation law, National Park Service policies, and the natural resources conservation objectives.
- To establish the existing archeological sites to the extent possible, and to enhance public appreciation of archeological remains.

### Public Information and Orientation

- To orient visitors to the park's resources, recreational opportunities and visitor services by providing, on a year-round basis, informational materials and opportunities for personal contact with park staff at the central visitor center and other appropriate locations in the park. Safety and interpretive messages are broadcast over the Traveler's Information Station (Tune 1610).

### Public Use

- To provide opportunities for year-round public enjoyment of the park except in areas such as the Narrows during periods of flooding, in areas in which weather conditions preclude the safe use of the area such as in winter months, and in other areas as may be deemed necessary for park management.
- To foster public understanding and appreciation of the park's unique geological features through interpretive programs and devices that focus on the forces responsible for their continuing evolution.
- To provide secondary interpretive emphasis on the park's other natural features and cultural resources.

### III. NON-FEDERAL OWNERSHIPS AND USES

All private non-Federal lands in Zion National Park (with the exception of the two mineral estate tracts, 04-125 and 04-127) are located in the western portion of the park at elevations from 6,000 to 8,000 feet. This area consists of small valleys with sharp vertical relief, narrow side canyons and sandstone mesas. This area is the upland continuation of the major canyons to the east and northwest. (See Appendix "E", Environmental Assessment, for greater detail on area resource values.)

Except for two tracts and part of a third, all of these tracts are visible from the Kolob Terrace Road, the main road that traverses the western edge of the park and provides access to areas north of the park. A major trail crosses one of the largest inholding tracts in the Grazing Group. Most of the tracts are also visible to backcountry hikers and users.

Principal resource values to be protected on these non-Federal tracts are the spectacular scenic views available to park visitors, wildlife habitat for a diverse variety of species such as mule deer, mountain lions, golden eagles and other raptors and many small mammal species and the vegetative mosaic that supports this wildlife. Several of these tracts also straddle watersheds which are the higher elevations of the major drainages in the park.

(A) The non-Federal lands consist of the following categories of ownership and use:

1. Grazing Inholdings: This group consists of six property owners with eight tracts of land totaling 3393.39 acres. This group owns the largest amount of inholding acreage in the park. During the summer months, June to September, there are approximately 150 to 200 head of trespass livestock on park lands. This livestock activity on park lands adjacent to these inholdings is an ongoing concern. Vegetative changes are significant in some areas and ecosystem balances have been affected. In this desert ecosystem, changes in water patterns, vegetative systems and food competition can have a profound impact on wildlife and scenic values. Watershed alterations have and will continue to occur and shifts of wildlife use and animal/vegetation dynamics could be substantial.
2. Potential Development: This group consists of twenty property owners with twenty-two tracts totaling 235.23 acres. The majority of these tracts are five to ten acres in size. There are two exceptions; one tract is 80 acres and one tract is 35 acres. There are no structural developments on any of these lands at this time. The park is concerned over the possibility of future development activity. The environmental impacts associated with developments would be similar to those listed for the grazing group. There would be vegetative loss

from construction of access roads and structures, wildlife food loss and disruption of habitat and migration routes. Increased erosion would occur along with air pollution from dust attendant to the construction and maintenance. Additionally, there would be the scenic intrusion of structures within a National Park.

3. Recreational Cabin Sites: This group consists of two owners and two tracts of land totaling 34.95 acres. Each tract is improved with a single cabin which is used on a seasonal basis.
4. Commercial Inholdings: This group consists of two landowners and two tracts totaling 93.57 acres. One tract contains a building and large developed parking lot. The building has been used in the past as a tavern. The second tract has been used as a quarry in the past for the excavation of cinder chips for road base materials. Neither operation is presently being used as a business site, but both have the potential for reactivation. Both tracts are located on the Kolob Terrace Road.
5. Mineral Estates: There are two mineral rights tracts (04-125 and 04-127) that were already in third party ownership when the surface interests were acquired by the United States. These tracts total 4.39 acres. They are protected from surface disturbance by stipulations in the deeds of conveyance. These properties are located in the vicinity of park headquarters; however, there is no activity on either tract.
6. State Lands: During the preparation of this Land Protection Plan, the Regional Division of Land Resources (which handles all land acquisition activities) has been actively negotiating with the State of Utah for acquisition of all its surface and mineral interests. That exchange was recently completed and brought 200 acres of State surface and 1123.99 acres of mineral interest under National Park Service jurisdiction. The Federal land given up in exchange was 200.18 acres of land immediately adjacent and outside the west boundary of Zion National Park, acquired as an uneconomic remnant in 1974 under an opportunity purchase from a landowner within the park whose property was severed by the boundary.

All ten of the mineral tracts acquired from the State were encumbered by existing oil and gas leases which will expire in 1987 - 1989. There is no activity on any of the leases at this time, nor any indication that there may be. Any future activity and request for access would fall under the purview of 36 Code of Federal Regulations, Part 9B. The leases will be allowed to expire and will not be renewed. In the meantime, no action will be taken to acquire them unless there is a proposal which would represent a threat to the resources being protected.

(B) Compatible and Incompatible Uses

Compatible uses are those uses which would not further damage the resources Zion National Park was established to protect. Incompatible uses are uses that would cause significant and irreversible harm to those resources or otherwise conflict with park values.

Examples of Compatible Uses for Zion National Park

1. Normal maintenance and upkeep of private property.
2. Minor modifications to existing structures and outbuildings.
3. Repairs and reconstruction to comply with applicable sanitary and building codes.
4. Replacement of roofing or siding.
5. Shoring up of structures threatened by subsidence of soil.
6. Repair or replacement of utility lines.
7. Replacement of existing structures accidentally destroyed by fire, wind storm or other catastrophe.
8. Interior remodeling of an existing structure.
9. The razing of a building and the replacement with a new structure of essentially the same size, which is designed to serve the same purpose and occupies essentially the same site.
10. Grazing within approved limits and without trespass.

Examples of Incompatible Uses for Zion National Park

1. Construction of buildings or other improvements on undeveloped land.
2. Intensification of use on developed land or undeveloped land, including the introduction of grazing, mining, oil or gas well drilling, harvesting of timber, and installation and/or occupancy of house trailers or modu-house units (excluding tents, recreation vehicles or trailers of the landowner or immediate family for short intervals in a manner approved in advance by the Superintendent).
3. Subdivision or selling off of a portion of a tract.
4. Any action that produces a clear, documentable increase in damage to natural or cultural resources, wildlife or scenery, including topographic changes or disruption of

natural drainage patterns, or grazing to a degree that would impact the natural resources of the park.

5. Intensification of commercial use on land used for commercial purposes to such a degree that aesthetic, natural or cultural resource damage would occur.
6. Introduction of commercial use on land used for non-commercial purposes.
7. Creation of hazards that endanger park visitors, other members of the public or wildlife.
8. Major alterations to existing structures or new construction, including: (a) new separate residence; (b) new residence which is physically linked to an existing structure; (c) replacement of a structure with a new one that is substantially different in size, location or purpose; (d) conversion of existing structure to sleeping or living quarters.

If existing incompatible uses persist or new incompatible uses are initiated, the National Park Service will attempt to negotiate with the owner for the acquisition of the necessary protective interest in the property in order to eliminate the use or avoid development adverse to the management of the unit. The National Park Service will not seek to acquire any interest in private lands without the consent of the owner as long as these lands are devoted to compatible use. However, if significant environmental impacts occur through incompatible use, measures need to be taken to rectify the situation. The alternatives discussed in this plan could be employed to prevent the undesirable use. If these measures fail, it may be necessary to invoke condemnation procedures as a last resort to protect park values.

#### (C) External Conditions and Activities

Zion National Park has several conditions and activities external to the park that could have an adverse effect on internal resources and visitor activities. Cattle trespass from lands surrounding the park have the effect of vegetative loss, water pollution, increased erosion (which in some cases causes damage to the natural erosional features which the park was created to protect) and wildlife disturbance. Poaching from outside the boundaries causes wildlife loss and disturbance. In certain areas, cattle presence causes disruption and movement of Desert Bighorn Sheep. If money becomes available, fencing and increased personnel coverage will be used to mitigate these impacts as much as possible.

Uranium exploration along the eastern border of the park and oil drilling along the western edge of the park are additional items of concern. The possibility of coal mining to the north is another factor which could affect park resources. Water

contamination from mining tailings is a concern as well as the increased demand for water to supply the increased population associated with the above mentioned activities. Several dams have been proposed on the main drainages coming through the park. These dams would have the effect of greatly altering the riparian ecosystems associated with these drainages as well as seriously affecting the aquatic species found in these waters.

All of these concerns could have an adverse effect on the resources in the park and the activities of the visitors which use the park. It is becoming increasingly difficult to adequately protect park values from external influences. Park management is striving to keep abreast of events as they occur and devise strategies to lessen the impact of these activities.

(D) NUMBER OF ACRES ACQUIRED BY ALL MEANS:

Total acreage in the park acquired by all means and now under NPS jurisdiction, is 142,793.96 acres. In addition, 510.18 acres, in two tracts, were acquired outside the boundary as uneconomic remnants. The recent exchange with the State of Utah disposed of 200.18 acres of this acreage.

NUMBER OF IMPROVEMENTS ACQUIRED:

Two cabins were acquired when lands were purchased. One cabin had collapsed and was uninhabitable. The other landowner was offered use and occupancy tenure but declined. The second cabin is under park jurisdiction but unused except for occasional Ranger patrol activities.

When the Utah Parks Company discontinued operation of the lower Zion Lodge complex, the 125 buildings were donated to the park. With the exception of two buildings, all were surveyed and removed as salvage.

NUMBER OF TYPES AND INTERESTS RETAINED BY SELLERS:

Grazing rights were retained by four parties. One party retained four years of grazing, two parties retained life time grazing tenures and one party retained ten years of grazing. All grazing rights have now expired.

Two parties retained mineral estates on two tracts when the properties were originally acquired by the Zion Natural History Association. The surface of these tracts is protected from disturbance by a provision in the deeds to ZNHA.

RETAINED USE AND OCCUPANCY OF STRUCTURES IN THE PARK:

NONE

NUMBER OF ACRES ACQUIRED BY WITHDRAWAL FROM THE PUBLIC DOMAIN:

Eight parcels totaling 121,322.70 acres were withdrawn. In 1976, 8.13 acres were transferred to the Bureau of Land Management in a boundary change, leaving a net of 121,314.56 acres under withdrawal.

NUMBER OF ACRES ACQUIRED BY PURCHASE:

10,297.75 acres, 79 tracts, all fee interest. Plus 2 tracts, 500.18 acres, acquired in fee outside the boundary as uneconomic remnants.

NUMBER OF ACRES ACQUIRED BY DONATION:

2.39 acres, one tract, fee interest.

NUMBER OF ACRES ACQUIRED BY EXCHANGE:

9,944.93 acres in fee in 3 exchange transactions with the State of Utah, plus 10 tracts of State mineral interest totaling 1,123.99 acres, which acreage is included in surface acreage previously acquired by the United States.

(E) THERE ARE NO CEILINGS FOR PURCHASE OF LAND IN ZION NATIONAL PARK

The sum of \$1,615,002 has been expended for the acquisition of all interests to date.

NUMBER OF PROPERTIES ACQUIRED BY CONDEMNATION:

Two parcels were acquired by regular complaint procedures, 40 acres in 1967, 80 acres in 1971 and 1 parcel of 1,114.32 acres by Declaration of Taking in 1965. These actions involved several private individual and corporate owners and were necessary to terminate subdivision and development activity that was proposed or taking place in the area.

NUMBER OF PROPERTIES CURRENTLY IN CONDEMNATION:

NONE

(F) Socio-Economic Assessment

The Zion region is in a state of economic transition. Historically, the economy centered around small-scale farming, ranching, logging and mining. Except for some ranching and a minimal amount of dry land farming, these activities ceased around the turn of the century; however, the remnants of these activities are still visible today. Improved access, specifically along Interstate 15 and Interstate 70, have encouraged vacationers -- originating from once remote metropolitan centers such as Los Angeles, Las Vegas, Salt Lake City and Phoenix -- to visit the area and tourism has recently become a major factor in the regional economy. Visitation to Zion National Park has

consistently exceeded one million during the past five years. An all-time high visitation record of 1,405,205 visits was recorded in 1981.

Concurrent with the economic changes are changing environmental problems. While grazing and logging operations have been greatly reduced in the entire Virgin River watershed, there is a strong possibility of mining operations opening up on the headwaters. The population increase which the activities may bring about could also have an effect on the regional economy.

Zion National Park is bordered by public and private lands. The Bureau of Land Management administers roughly 60 percent, State owned lands amounts to 1 percent or less and the balance is in private ownership. It is significant that the more fragile and strategic areas, namely the watersheds and high plateaus, are nearly all private. There are no National Forest lands adjacent to Zion National Park. Into this delicate zone, as more and more ranchers subdivide their land, more and more summer property users are adding to the pollution of streams and ground water and subjecting the region to accelerated erosion. As peripheral development increases, Zion National Park will become more of wilderness island, but management will be confronted with a formidable challenge to maintain any semblance of wilderness. The quality of every visitor's park experience will be lessened proportionately.

This plan should have little socio-economic effect in the area. Washington County is a rural county except for the population concentration near St. George, Utah. The total population of Washington County is 30,000 (1983 Figures), and the average population density is 10.27 persons per square mile. The three most important sectors in the county, in terms of employment provided, are retail trade, government and services. Retail trade accounts for 22 percent of the total employment in Washington county while government provides 19 percent and the services section accounts for 12 percent (USDC, 1981b). The size of the retail sector is indicative of the importance of tourism in southern Utah.

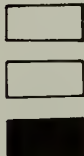
The grazing users consist of six landowners who utilize their land for summer livestock use. These users have lived in the area most of their lives and the land has been in their families for a long time. An additional six landowners are permanent residents in areas adjacent to the park. They are associated with various businesses in the area. The remaining twenty landowners are widely scattered across the country. This last group has little effect on the local economy. None of the landowners utilize their land on a year-round basis.

Easements would have no effect on social or cultural institutions and exchanges would leave the landowner in the vicinity. If purchases were made, it is likely that the landowner would buy other land in the immediate area, thereby reducing the effect of

the action. Socio-economic impact will be rated high, medium or low depending upon the alternative being discussed. After each alternative, the impact will be identified.

# Legend

existing land manage



## PRIVATE LAND INTERESTS

TRACT ACREAGE

|        |          |
|--------|----------|
| 01-101 | 200.00   |
| 01-104 | 397.53   |
| 01-128 | 8.00     |
| 01-130 | 5.00     |
| 01-134 | 21.03    |
| 01-136 | 1,440.00 |
| 01-170 | 630.00   |
| 01-183 | 7.24     |
| 01-184 | 4.00     |
| 01-186 | 80.00    |
| 01-187 | 70.00    |
| 01-190 | 5.00     |
| 01-193 | 6.00     |
| 01-194 | 4.00     |
| 01-195 | 5.00     |
| 01-198 | 589.58   |
| 01-200 | 5.00     |
| 01-201 | 35.00    |
| 02-103 | 27.00    |
| 04-113 | 0.65     |
| 04-119 | 0.09     |
| 06-107 | 10.00    |
| 06-111 | 49.90    |
| 06-124 | 5.00     |
| 06-126 | 5.00     |
| 06-129 | 5.00     |
| 06-130 | 4.13     |
| 06-131 | 30.00    |
| 06-134 | 4.99     |
| 06-135 | 45.25    |
| 06-137 | 5.00     |
| 06-138 | 43.67    |
| 06-139 | 4.13     |
| 06-140 | 4.95     |

PR

visitor center  
administrative bldg.  
Oak Creek residential area  
maintenance area

04-125  
04-127

South & Watchman campgrounds  
Watchman residential area

Kane Co.

Washington Co.



0 1 2 miles  
0 1 2 kilometers

## Ownership & Use

Zion National Park

U.S. Dept. of the Interior - National Park Service

To Cedar City

Virgin

15

# Legend

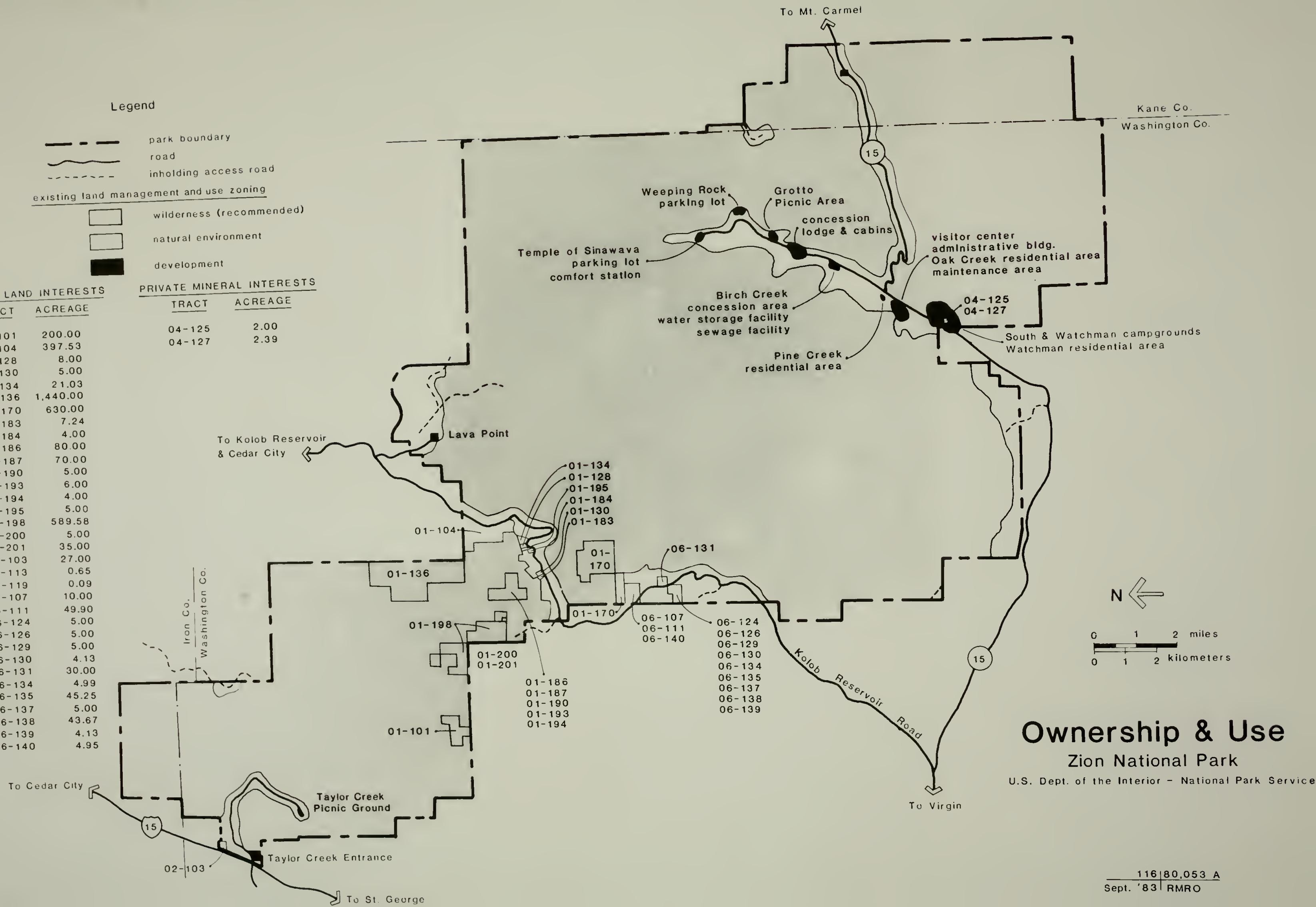
- park boundary
- road
- inholding access road
- existing land management and use zoning
- wilderness (recommended)
- natural environment
- development

## PRIVATE LAND INTERESTS

| TRACT  | ACREAGE  |
|--------|----------|
| 01-101 | 200.00   |
| 01-104 | 397.53   |
| 01-128 | 8.00     |
| 01-130 | 5.00     |
| 01-134 | 21.03    |
| 01-136 | 1,440.00 |
| 01-170 | 630.00   |
| 01-183 | 7.24     |
| 01-184 | 4.00     |
| 01-186 | 80.00    |
| 01-187 | 70.00    |
| 01-190 | 5.00     |
| 01-193 | 6.00     |
| 01-194 | 4.00     |
| 01-195 | 5.00     |
| 01-198 | 589.58   |
| 01-200 | 5.00     |
| 01-201 | 35.00    |
| 02-103 | 27.00    |
| 04-113 | 0.65     |
| 04-119 | 0.09     |
| 06-107 | 10.00    |
| 06-111 | 49.90    |
| 06-124 | 5.00     |
| 06-126 | 5.00     |
| 06-129 | 5.00     |
| 06-130 | 4.13     |
| 06-131 | 30.00    |
| 06-134 | 4.99     |
| 06-135 | 45.25    |
| 06-137 | 5.00     |
| 06-138 | 43.67    |
| 06-139 | 4.13     |
| 06-140 | 4.95     |

## PRIVATE MINERAL INTERESTS

| TRACT  | ACREAGE |
|--------|---------|
| 04-125 | 2.00    |
| 04-127 | 2.39    |



## Ownership & Use

Zion National Park

U.S. Dept. of the Interior - National Park Service

#### IV. PROTECTION ALTERNATIVES

The following land protection techniques were examined and evaluated for use in protecting park values and in meeting management objectives:

- (1) State and County Land Regulations. This classification includes zoning, subdivision and regulations and other forms of state and county ordinances to regulate and control land uses. County land ordinances are in use in Washington county but are primarily related to lot size and land use patterns. Resource concerns cannot be addressed under these ordinances; therefore, this is not a viable protection alternative in the Zion Plan.

Federal Resources and Environmental Regulations. This alternative includes such laws as the Clean Air Act and the Clean Water Act. None of the activities of concern in Zion fall under the purview of this classification. Any proposed activity and request for surface access to the ten private oil and gas leases (on former State property) would fall under the purview of 36 CFR Part 9B.

- (2) No Action. Wherever listed throughout this plan, it should be understood that this alternative simply means current management practices will continue, that private ownership and stewardship of a particular tract will continue and the National Park Service will not initiate any unilateral attempt to acquire any interest in the property as long as there is no change to an adverse use and unless the owner voluntarily initiates a proposal to convey to the United States, either as a willing seller or under hardship circumstances. During any "NO ACTION" period, however, the Service will be monitoring all areas regularly to identify any changes in protection needs. Voluntary commitments or agreements to provide advance notice to the park of any need or intent to sell, subdivide or build will be actively solicited from landowners willing to cooperate, up to and including rights of first refusal to purchase. In addition, personal conferences will be encouraged with all landowners, to discuss future plans and needs, particularly with those owners of undeveloped tracts having the most critical resource values.

- (3) Cooperative Management Agreements. This method would entail written agreements between the private landowner and the Federal Government detailing the conditions desired. The disadvantage of this method is that it has no mechanism for enforcement and also has no degree of permanence. Either party can generally cancel a cooperative agreement by written notice. There is no incentive for a landowner to agree to such conditions and therefore such a method does not appear to be a viable long-term alternative; however, it will be considered for use as a short-term alternative with

any landowner willing to participate in such an agreement.

- (4) Partial Acquisition (Easements). An easement is a legally enforceable interest in real estate created by the transfer of certain rights. Easements can be negative in character such as those used to restrict development or control other activities which may be incompatible with park values, such as overgrazing and trespass. Easements can also be positive, such as those used to acquire trail easements for public use over private lands. Easements allow the property to remain in private ownership and on the tax rolls, subject to the terms of the easement. This method could provide the necessary resource protection in certain circumstances, in both short and long term situations. The final decision on whether to acquire an easement or fee interest will require evaluation of several factors as they apply to each individual tract at the time acquisition is proposed. These factors would include, but may not be limited to, the need for development of visitor use of the land, the degree of protection and the effect on management that would result by acquisition of a less than fee interest, the special needs or circumstances of the owner and the relative cost of any easement interest as opposed to purchase of a full fee interest. A sample of a conservation easement is attached as Appendix "D".

- (5) Fee Acquisition. This method involves acquisition of all the rights in a property, title is conveyed to the Federal Government and the property is removed from the tax rolls. Wherever listed as an alternative through the plan, it should be understood that fee acquisition may be accomplished in a variety of ways, as follows:

- (a) Exchanges. This method involves the exchange of non-Federal land within the park for other parcels of Federal land of equal value outside the park but within the same state. Land values can be equalized by payment of cash by either party to the exchange. Most available exchange land is under the jurisdiction of the Bureau of Land Management and the difficulty with this method is finding land that is both available for exchange and suitable to the landowner.

The recent exchange between NPS and the State of Utah involved State land within the Park (200 acres) which was exchanged for land immediately outside the boundaries that had previously been acquired by NPS as an uneconomic remnant from a landowner whose property was severed by the park boundary. Preliminary discussions have been started for an exchange of the remaining uneconomic remnant (310 acres) for land within the park belonging to one of the owners of grazing lands.

(b) Donations and Bargain Sales. This method can involve either an outright donation of the property or a sale to the government at less than market value, with the donor taking advantage of the tax benefit. (It should be noted that the donation of an easement interest as in number 4 above can also qualify for a tax deduction if the terms of the easement meet Internal Revenue standards. This method would meet management goals but would be limited to those landowners who could take advantage of the available tax benefits.

(c) Direct Purchase. This is the most common method of acquisition used in the past and is dependent upon the availability of appropriated funds (or the infrequent availability of donated funds). Protection of park values is provided as is full public use and access where needed.

- (6) Condemnation. The authority to use the power of Eminent Domain (condemnation) is provided for in the Act of August 1, 1888; 40 U.S.C. 257; however, these procedures, as in the past at Zion National Park, would only be used as a last resort. Condemnation can be used to acquire either a fee or less than fee (easement) interest in a property. This plan would contemplate use of condemnation only in cases of an emergency adverse threat to park resources, to resolve an unsolvable title problem or when agreement on purchase price cannot be reached after bona fide negotiations have reached an impasse. In all condemnation cases, the court makes the final judgement as to the amount of compensation to be paid for the interest being acquired.

In summary, alternative (1), State, County and Federal regulations, does not appear to be an effective means of protection in Zion National Park. Numbers 2, 3, 4, 5, and 6 will be used and discussed in detail as they apply to each property group. Any time any type of interest acquisition is being considered at Zion, it will be on an opportunity purchase basis. Number 6 will be used only as a last resort under the circumstances as set out above.

## V. Recommendations - By Groups of Similar Properties

Grazing Group. The present and/or potential problems created by inholders grazing cattle within the park are:

1. Trespass of cattle onto Federal lands.
2. Adverse effects of livestock use of both Federal and non-Federal lands including loss of vegetation, water pollution, wildlife disturbance, increased erosion.
3. Incompatibility of livestock trespass with proposed wilderness designation and fire management planning.
4. Hunting on private lands which creates a safety hazard for park visitors.
5. The possibility of conversion to development and subdivision, brought on by increasing taxes and area economic growth.

### Alternatives

1. No Action-Continuation of Current Management Policy. The above mentioned concerns would remain largely unresolved. Current management policies would continue. Present uses would continue and resource changes would continue on an unpredictable amount of acreage with unpredictable consequences, depending on the extent of use. Some current impacts on terrestrial and aquatic communities resulting from ongoing use could continue indefinitely on these lands. Conditions would be monitored and attempts would be made to reach an understanding with the owners for control of cattle trespass, grazing limitations and installation of fencing. Because of current limitations of funding and manpower, the latter may be at a relatively minimum level. The economic impact of this alternative would be low. Proper management of park lands that are intermingled with non-Federal lands would continue to be hampered.
2. Cooperative Agreements. This alternative would be the next step in effectiveness but would require complete agreement and cooperation by the owner on control of the amount of grazing and trespass. The agreement could be cancelled at any time and would have to be renegotiated with the new owner in the event of a sale or transfer of ownership. The economic effect of this method would be low.
3. Easement Acquisition. Acquisition of an easement interest, by either purchase or donation, could provide the necessary resource protection by requiring fencing

at problem boundaries and address other relevant problems as needed. If purchased, the easement cost would be relatively high since the controls would affect the maximum utilization of the property. Other easements could include rights-of-way for trails. The economic effect would be moderate to low since the property would remain in private ownership and still be on the tax rolls; however, some management problems would still remain such as fire management and wildlife disturbance.

4. Fee Acquisition. This alternative would resolve all the issues mentioned above and could be accomplished by several means, including donation, exchange, or direct purchase. The economic effect would be moderate since most owners are local and replacement property would probably be purchased outside the park locally in most instances. In the case of exchange, other Federal land would become private and taxable and the Payment in Lieu of Taxes Act would provide reimbursement of a portion of the lost taxes to local governments.

#### Recommendations

Short Term - Item 2, Cooperative Agreement.

Long Term - Item 3, Easement Acquisition.

These recommendations are based on the concerns expressed in Part III(A)1 (page 9) and Part V (page 20).

Potential Development Group. This group comprises the largest number of non-Federal landowners in the park. The following are potential problems that could cause an adverse effect.

1. While the present use as undeveloped land has no adverse effect on park resources, the possibility exists that economic conditions may force some form of development of these tracts. There could be a desire to utilize development for personal use or to change the land use to realize some form of profitable return to offset increasing taxes and land ownership costs.
2. Since there are no State or county subdivision regulations applicable to these lands, the number of units per acre would be limited only by market conditions if an owner decided to subdivide.
3. Any form of development would be incompatible with scenic values now enjoyed by the public and with proposed wilderness designations. Development would also create problems of additional roads and vehicular use, erosion, conflicts with fire management practices and wildlife disturbance.

## Alternatives

1. No Action. This policy would continue as long as no adverse change in use was initiated. No real protection of park values would be provided and the economic effect would be low.
2. Cooperative Agreements. Although this alternative would provide interim protection, it is not likely that any owner would be agreeable to voluntarily giving up development and/or subdivision rights.
3. Easement Acquisition. This alternative could provide necessary protection as far as scenic values and control of development are concerned; however, the cost would probably be near the fee value and the continuation of private ownership and at least some regular use (most probably grazing) would continue to pose problems in fire management, wildlife disturbance, plant loss, water pollution and erosion. The economic effects of this alternative would be low to moderate.
4. Fee Acquisition. This alternative would resolve all the issues and concerns set out above and could be accomplished by donation, exchange or purchase. The economic effect would be moderate for the same reasons set out under Item 4, Grazing Group.

## Recommendations

Short Term - Item 1, No Action.

Long Term - Item 4, Fee Acquisition. Less than fee acquisition would perpetuate the problems of public access, natural fire management and wilderness management. It will continue to be difficult to manage park lands intermixed with non-Federal lands.

These recommendations are based on concerns expressed in Part III(A)2 (page 9) and Part V (page 21).

Recreational Cabin Sites Group. This group consists of only two tracts, each improved with a single cabin. Both cabins are used only on a seasonal basis. The following are potential concerns with this group.

1. One cabin site (Tract 06-140) is only slightly larger than four acres; however, the second (Tract 06-131) contains thirty acres and has the potential for subdivision and further development.
2. Since there are no subdivision or land use controls in the area, either property could be developed to suit the owner's wishes.

3. Subdivision, development or intensification of use would be incompatible with park purposes due to increases in vehicle use, erosion, conflicts with fire management and wildlife disturbance.

#### Alternatives

1. No Action. This policy would be continued as long as no adverse change in use was initiated. No real protection of park values would be provided and the economic effect would be low.
2. Cooperative Agreements. Would provide interim protection but is not highly probable for the same reason given under Item 2, Potential Development Group.
3. Easement Acquisition. Scenic values are already affected by the existing improvements. The additional control would be prevention of further development and control of potential grazing on the larger tract. Cost would be high and some management problems would remain unresolved.
4. Fee Acquisition. All concerns would be resolved by fee acquisition through donation, exchange or purchase; however, the first two are not probable where improved properties are involved. In the event of acquisition, either owner would be allowed to elect to retain a reservation of use of the cabin and an agreed upon portion of the land for a fixed period up to 25 years or a life estate in the name of the owners. The economic effect would be moderate for the same reasons set out under Item 4, Grazing Group.

#### Recommendations

Short Term - Both Tracts, Item 2, Cooperative Agreements.

Long Term - Item 3, Easement Acquisition.

These recommendations are based on the concerns expressed in Part V (pages 22-23).

Commercial Inholding Group. Consists of two tracts; a tavern which has seen periodic use (Tract 06-138) and a cinder pit used for obtaining road materials (Tract 06-111). Concerns and potential problems are as follows:

1. The tavern site could be sold and commercially developed for other purposes, i.e. motel, restaurant, trailer park, etc.
2. Some resource impact is already evident from use of the cinder pit. Continued or expanded use would increase

scenic degradation.

3. Both tracts are large enough to be subdivided.

#### Alternatives

1. No Action. This policy would continue as long as no intensification of use or additional adverse impact was threatened. No resource protection would be provided and economic impact would be low.
2. Cooperative Agreements. It is unlikely that either owner would voluntarily give up development, subdivision or continued use rights as to do so would affect the utilization of the property.
3. Easement Acquisition. Both tracts are between 40 and 50 acres in size and an easement acquisition could provide protection for the undeveloped portions but would do nothing to mitigate the impact of the existing use and/or development. Cost of an easement would be high on the undeveloped portion and some management problems would continue to exist. With respect to the cinder pit, the only feasible reason for continuing private ownership of that portion would be continuation and expansion of the pit. The economic effect of an easement acquisition would be low.
4. Fee Acquisition. This alternative would resolve all management problems and issues and could be accomplished by donation, exchange or direct purchase. The economic effect would be moderate for the reason that neither site has been productive enough to justify full time use and also for the reasons set out under Item 4, Grazing Group.

#### Recommendations

Short Term - Item 2, Cooperative Agreement.

Long Term - Item 4, Fee Acquisition for Tract 06-111 and Item 3, Easement Agreement for Tract 06-138. These recommendations are based on concerns expressed in Part V (pages 23-24).

Mineral Estate Group. This group consists of two tracts totaling 4.39 acres. Both of these privately held mineral estates have a deed restriction prohibiting surface disturbance in the development of mineral interest. The following are potential concerns with this group.

1. Resource impacts attendant to some form of exploration and development such as access requirements, water pollution, vegetation loss and erosion.

2. The impact of exploration on visitor use in the headquarters area.
3. Private mineral owners selling their interest to oil and gas companies (the deed restriction against surface disturbance would still apply as would the regulations under 36 CFR 9B).
4. Actual development would be incompatible with park values and objectives.

#### Alternatives

1. No Action. Present policy would continue as long as no effort is made to develop the mineral interests.
2. Cooperative Agreements. There would be no incentive for an owner to enter into such an agreement. The interests can only be either left as is or developed.
3. Easement Acquisition. There is a surface disturbance clause in the deeds on these properties, therefore, an easement would not be appropriate in this case.
4. Acquisition. This is the only feasible alternative for interests of this type.

#### Recommendations

Short Term - Item 1, No Action, as long as no development is attempted.

Long Term - Item 4, Acquisition, either by donation or exchange, or on an opportunity purchase basis for other Federal mineral interests when offered by the owner or when development is threatened.

These recommendations are based on the concerns expressed in Part V (pages 23-25).

#### Priorities

The rationale for establishing priorities was derived from consideration of the following factors: The severity of impacts to the resource, the likelihood of development, the complexity of managing intermingled Federal and non-Federal lands and the scenic impacts on the area.

In summary, the alternatives and recommendations for the inholdings have been listed. Each tract must be treated individually on a case by case basis within each group. The park's priorities have been listed in Appendix A. These priorities are:

1. Grazing Group
2. Potential Development Group
3. Commercial Inholding Group
4. Recreational Cabin Sites Group
5. Mineral Estates Group

The priorities must be flexible to allow the park and the landowners to meet changing conditions. For all groups, the priority in dealing with the landowners would be:

1. Work with inholders to establish understanding on issues and strive toward establishing agreements to protect resource values. This assumes that no emergency or hardship situations exist.
2. Emergency situations where action by the park is necessary because an incompatible use has been initiated which, if carried out, will have a permanent and irreversible adverse effect on park resources.
3. Hardship cases.
4. Opportunity purchases from voluntary sellers when no emergency or hardship exists.

#### Jurisdiction

Zion National Park has proprietary jurisdiction.

#### Preparers

Harold L. Grafe, Superintendent  
Larry L. Hayes, Resource Management Specialist  
John F. Pattie, Chief, Division of Land Resources, RMRO

RESOURCE PROTECTION IN ORDER OF PRIORITY, BASED ON RESOURCE VALUES.

| GROUP<br>CLASSIFICATION | TRACT<br>NUMBER | OWNER         | ACREAGE  | RECOMMENDATIONS FOR RESOURCE PROTECTION |             |
|-------------------------|-----------------|---------------|----------|-----------------------------------------|-------------|
|                         |                 |               |          | SHORT TERM *                            | LONG TERM * |
| Grazing                 | 01-101          | Cottom        | 200.00   | Item 2                                  | Item 3      |
| Grazing                 | 01-104          | Lamoreaux     | 397.53   | Item 2                                  | Item 3      |
| Grazing                 | 01-134          | Cornelius     | 21.03    | Item 2                                  | Item 3      |
| Grazing                 | 01-170          | Lee           | 630.00   | Item 2                                  | Item 3      |
| Grazing                 | 01-136          | Bauer         | 1,440.00 | Item 2                                  | Item 3      |
| Grazing                 | 01-198          | Lee           | 589.58   | Item 2                                  | Item 3      |
| Grazing                 | 06-135          | Lee           | 45.25    | Item 2                                  | Item 3      |
| Grazing                 | 01-187          | Cornelius     | 70.00    | Item 2                                  | Item 3      |
| Potential Dev.          | 01-128          | Clifton & Kir | 8.00     | Item 1                                  | Item 4      |
| Potential Dev.          | 01-130          | Frost         | 5.00     | Item 1                                  | Item 4      |
| Potential Dev.          | 01-183          | Whitehead     | 7.24     | Item 1                                  | Item 4      |
| Potential Dev.          | 01-184          | Beams         | 4.00     | Item 1                                  | Item 4      |
| Potential Dev.          | 01-186          | Clifton       | 80.00    | Item 1                                  | Item 4      |
| Potential Dev.          | 01-190          | Cornelius     | 5.00     | Item 1                                  | Item 4      |
| Potential Dev.          | 01-193          | Peterson      | 6.00     | Item 1                                  | Item 4      |
| Potential Dev.          | 01-194          | Cornelius     | 4.00     | Item 1                                  | Item 4      |
| Potential Dev.          | 01-195          | Gubbler       | 5.00     | Item 1                                  | Item 4      |
| Potential Dev.          | 01-200          | Priest        | 5.00     | Item 1                                  | Item 4      |

\* ITEM 1 = No Action. ITEM 2 = Cooperative agreement. ITEM 3 = Easement (less than fee) acquisition.

ITEM 4 = Fee acquisition by purchase, donation or exchange.

NOTE: Individual tracts within each group all have equal priority.

APPENDIX "A" LISTING OF ALL NON-FEDERAL LANDS IN ZION NATIONAL PARK AND RECOMMENDATIONS FOR  
RESOURCE PROTECTION IN ORDER OF PRIORITY, BASED ON RESOURCE VALUES (A-2)

| GROUP<br>CLASSIFICATION | TRACT<br>NUMBER | OWNER                            | ACREAGE | RECOMMENDATIONS FOR RESOURCE PROTECTION |             |
|-------------------------|-----------------|----------------------------------|---------|-----------------------------------------|-------------|
|                         |                 |                                  |         | SHORT TERM *                            | LONG TERM * |
| Potential Dev.          | 01-201          | Lee                              | 35.00   | Item 1                                  | Item 4      |
| Potential Dev.          | 02-103          | Church of Latter<br>Day Saints   | 27.00   | Item 1                                  | Item 4      |
| Potential Dev.          | 04-113          | Crawford                         | 0.65    | Item 1                                  | Item 4      |
| Potential Dev.          | 04-119          | Unknown                          | 0.09    | Item 1                                  | Item 4      |
| Potential Dev.          | 06-107          | Clayson                          | 10.00   | Item 1                                  | Item 4      |
| Potential Dev.          | 06-124          | Evans                            | 5.00    | Item 1                                  | Item 4      |
| Potential Dev.          | 06-126          | Jones                            | 5.00    | Item 1                                  | Item 4      |
| Potential Dev.          | 06-129          | Monnett                          | 5.00    | Item 1                                  | Item 4      |
| Potential Dev.          | 06-130          | Patrick                          | 4.13    | Item 1                                  | Item 4      |
| Potential Dev.          | 06-134          | Krause                           | 4.99    | Item 1                                  | Item 4      |
| Potential Dev.          | 06-137          | Desnick                          | 5.00    | Item 1                                  | Item 4      |
| Potential Dev.          | 06-139          | Lee                              | 4.13    | Item 1                                  | Item 4      |
| Commercial              | 06-111          | Spillsbury, et al.               | 49.90   | Item 2                                  | Item 4      |
| Commercial              | 06-138          | Lee                              | 43.67   | Item 2                                  | Item 3      |
| Recreation Cabin        | 06-131          | Fields                           | 30.00   | Item 2                                  | Item 3      |
| Recreation Cabin        | 06-140          | Lee                              | 4.95    | Item 2                                  | Item 3      |
| Mineral Estate          | 04-125          | Utah Parks Co.                   | 2.00    | Item 1                                  | Item 4      |
| Mineral Estate          | 04-127          | Los Angeles &<br>Salt Lake R. R. | 2.39    | Item 1                                  | Item 4      |

\* ITEM 1 = No Action. ITEM 2 = Cooperative agreement. ITEM 3 = Easement (less than fee) acquisition.  
ITEM 4 = Fee acquisition by purchase, donation or exchange.

## 16. Zion National Park

|                                                                                         | Page |
|-----------------------------------------------------------------------------------------|------|
| Mukuntuweap National Monument established: Proclamation (No. 877) of July 31, 1909..... | 53   |
| Zion National Monument established: Proclamation (No. 1435) of March 18, 1918 .....     | 53   |

### MUKUNTUWEAP NATIONAL MONUMENT,<sup>1</sup> UTAH

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

[No. 877—July 31, 1909—36 Stat. 2498]

WHEREAS, the Mukuntuweap Canyon, through which flows the North Fork of the Rio Virgin, or Zion River, in Southwestern Utah, is an extraordinary example of canyon erosion and is of the greatest scientific interest, and it appears that the public interest would be promoted by reserving it as a National monument, with such other land as may be necessary for its protection;

NOW, THEREFORE, I, William H. Taft, President of the United States of America, by virtue of the power in me vested by Section 2 of the Act of Congress approved June 8, 1906, entitled, "An Act for the Preservation of American Antiquities", do hereby set aside, as the Mukuntuweap National Monument, the Mukuntuweap Canyon of the North Fork of the Rio Virgin, or Zion River, embracing Sections three, four, five, six, eight, nine, ten, fourteen, fifteen, sixteen, twenty-one, twenty-two, twenty-three, twenty-six, twenty-seven, twenty-eight, thirty-three and thirty-four, Township forty South, Range ten, and all of the said canyon of the Rio Virgin, or Zion River, in Township forty-one South, Range ten, all west of the Salt Lake Meridian, Utah, as shown upon the diagram hereto attached and made a part of this proclamation.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure or destroy any feature of this National Monument, or to locate or settle upon any of the lands reserved by this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 31st day of July, in the year of our Lord one thousand nine hundred and nine, and of the [SEAL] Independence of the United States the one hundred and thirty-fourth.

WM. H. TAFT.

By the President:

HUNTINGTON WILSON,  
*Acting Secretary of State.*

### ZION NATIONAL MONUMENT, UTAH<sup>2</sup>

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

[No. 1435—Mar. 18, 1918—40 Stat. 1760]

WHEREAS, It has been established by the research of competent observers

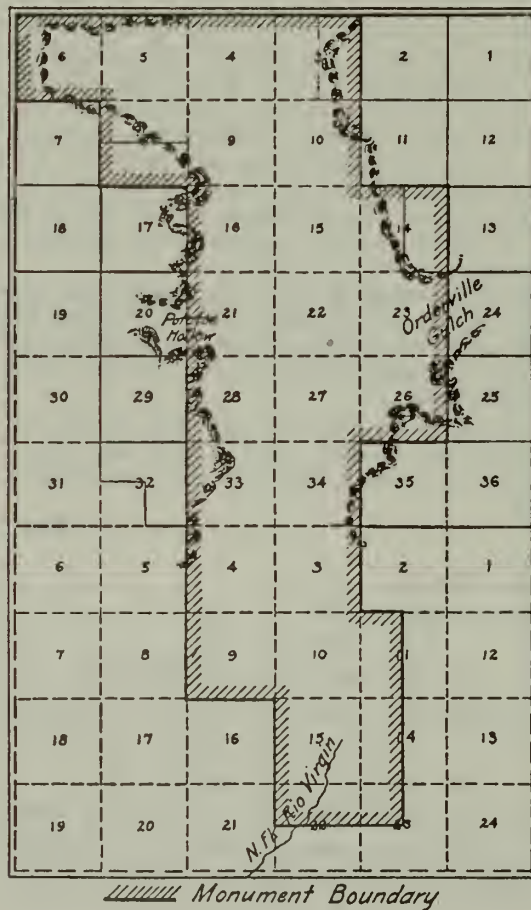
<sup>1</sup> Name changed to Zion National Monument by proclamation of March 18, 1918, immediately following.

<sup>2</sup> Monument was established as Zion National Park by act of November 19, 1919 (41 Stat. 356). See Vol. I, p. 217.

# MUKUNTUWEAP NATIONAL MONUMENT

*Embracing Sections 3, 4, 5, 6, 8, 9, 10, 14, 15, 16, 21, 22, 23, 26, 27, 28, 33 and 34 in T. 40 S. R. 10; and all of the Mukuntuweap canyon in T. 41 S. R. 10 all west of the Salt Lake Meridian*

## UTAH



DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE  
Fred Dennett, Commissioner

that certain lands directly bordering upon the Mukuntuweap National Monument, reserved by proclamation dated July 31, 1909, said monument and adjacent lands being in the State of Utah, contain many natural features of unusual archaeologic, geologic, and geographic interest, unknown at the time the monument was created,

AND WHEREAS, The archaeologic features pertain to the prehistoric races of America and to the ancestral Indian tribes,

AND WHEREAS, The geologic features include craters of extinct volcanoes, fossiliferous deposits of unusual nature, and brilliantly colored strata of unique composition, among which are some believed to be the best representatives in the world of a rare type of sedimentation,

AND WHEREAS, The features of geographic interest include a labyrinth of remarkable canyons with highly ornate and beautifully colored walls, in which are plainly recorded the geologic events of past ages,

AND WHEREAS, It appears that the entire area herein referred to should be preserved intact for the purpose of scientific research and for the enjoyment and enlightenment of the public,

AND WHEREAS, The canyon of the North Fork of the Virgin River, the principal natural feature of geologic and geographic interest included within the boundaries of the said Mukuntuweap National Monument, was named "Zion Canyon" by Mormon settlers many years before the name "Mukuntuweap" was given to this region because it was regarded as a safe refuge in the event of Indian attacks on neighboring settlements,

AND WHEREAS, The name "Zion" is still applied to this region to the exclusion of the name "Mukuntuweap,"

AND WHEREAS, It is desirable that the national monument embracing said region shall bear the generally accepted name "Zion,"

NOW, THEREFORE, I, Woodrow Wilson, President of the United States of America, by virtue of the power and authority in me vested by section two of the Act of Congress entitled "An Act for the preservation of American antiquities," approved June 8, 1906 (34 Stat., 225), do proclaim that there are hereby reserved from all forms of appropriation under the public-land laws, and set apart as the Zion National Monument, certain tracts of land particularly described as follows, to wit, all of township forty south, range ten west; all of township forty south, range ten and one-half west, with the exceptions of sections one and two; sections one, eleven, twelve, thirteen, fourteen, twenty-three, twenty-four, twenty-five, twenty-six, thirty-five, and thirty-six of township forty south, range eleven west; sections one, two, three, ten, eleven, twelve, thirteen, fourteen, fifteen, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, and twenty-seven of township forty-one south, range eleven west; and sections one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, the north half and southeast quarter of twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, the south half and northeast quarter of twenty-seven, thirty, thirty-four, thirty-five, and thirty-six of township forty-one south, range ten, all west of the Salt Lake Meridian in the State of Utah, which tracts include the lands embraced in the Mukuntuweap National Monument as reserved by the proclamation of July 31, 1909, and that the boundaries of said Zion National Monument are as shown on the diagram hereto attached and made a part hereof.

Warning is hereby given to all unauthorized persons not to appropriate or injure any natural feature of this monument or to occupy, exploit, settle, or

locate upon any of the lands reserved by this proclamation.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument, as provided in the Act of Congress entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat., 535).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE in the District of Columbia This eighteenth day of March, in the year of our Lord one thousand nine hundred and eighteen, and [SEAL] of the Independence of the United States of America the one hundred and forty-second.

WOODROW WILSON.

By the President:  
ROBERT LANSING.  
*Secretary of State.*

### 17. Zion National Park

|                                                                                                                              | Page |
|------------------------------------------------------------------------------------------------------------------------------|------|
| Act of November 19, 1919, establishing the Zion National Park.....                                                           | 217  |
| Excerpt from act of June 7, 1924, authorizing the exchange of alienated lands in the Zion National Park for other lands..... | 217  |
| Act of May 28, 1928, for the relief of the town of Springdale, Utah.....                                                     | 217  |
| Act of June 13, 1930, adding certain lands to the Zion National Park....                                                     | 218  |

#### An Act To establish the Zion National Park in the State of Utah, approved November 19, 1919 (41 Stat. 356)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Zion National Monument, in the county of Washington, State of Utah, established and designated as a national monument under the Act of June 8, 1906, entitled "An Act for the preservation of American antiquities," by Presidential proclamations of July 31, 1909, and March 18, 1918, is hereby declared to be a national park and dedicated as such for the benefit and enjoyment of the people, under the name of the Zion National Park, under which name the aforesaid national park shall be maintained by allotment of funds heretofore or hereafter appropriated for the national monuments, until such time as an independent appropriation is made therefor by Congress. (U.S.C., title 16, sec. 344.)

Zion National Park, Utah. Former national monument, changed to. Vol. 34, p. 225. See p. 296. Vol. 36, p. 2498; vol. 40, p. 1760.

SEC. 2. That the administration, protection, and promotion of said Zion National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provision of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes," and Acts additional thereto or amendatory thereof. (U.S.C., title 16, sec. 345.)

Administration by National Park Service. Vol. 39, p. 535. Sec p. 9.

#### Excerpt from "An Act To establish the Utah National Park in the State of Utah," approved June 7, 1924 (43 Stat. 593)

The Secretary of the Interior is hereby authorized to exchange, in his discretion, alienated lands in \* \* \* Zion National Park for unappropriated and unreserved public lands of equal value and approximately equal area in the State of Utah outside of said park. (U.S.C., title 16, sec. 346.)

Exchange of alienated lands in Zion National Park for other lands.

#### An Act For the relief of the town of Springdale, Utah, approved May 28, 1928 (45 Stat. 787)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-*

Springdale, Utah.  
May divert  
water from  
springs in Zion  
National Park.

*bled*, That the Secretary of the Interior is hereby authorized and directed, under such reasonable regulations as he may prescribe, to grant permission to the town of Springdale, Utah, to divert through such piping facilities as may be necessary, for domestic and other uses within the limits of said town of Springdale, Utah, water from certain springs in the Zion National Park, situated at the head of what is known as Oak Creek, which crosses the main highway about one-half mile below the park boundary, and located in approximately section 20, township 41 south, range 10 west, Salt Lake meridian.

An Act To add certain lands to the Zion National Park in the State of Utah, and for other purposes, approved June 13, 1930 (46 Stat. 582).

Zion National  
Park.  
Lands added to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That sections 7, 17, 18, 19, 20, 29, 30, 31, and 32, township 41 south, range 9 west; unsurveyed sections 5, 6, 7, 8, 17, and 18, township 42 south, range 9 west; unsurveyed sections 5, 6, 7, and 8, township 42 south, range 9½ west; unsurveyed sections 1, 2, and the north half and southeast quarter section 3; northeast quarter section 4, east half section 10, sections 11 and 12, township 42 south, range 10 west; all of section 21, southwest quarter section 22, northwest quarter section 27, southeast quarter unsurveyed section 28; east half unsurveyed section 33, township 41 south, range 10 west; and all of sections 34, 35, and 36, township 41 south, range 11 west, all with reference to the Salt Lake meridian, and the same are hereby, added to and made a part of the Zion National Park in the State of Utah, subject to all laws and regulations applicable to and governing said park. (U.S.C., 6th supp., title 16, sec. 346a.)

## 27. Zion National Park

|                                                                                        | Page                         |
|----------------------------------------------------------------------------------------|------------------------------|
| Inclusion of the present area of Zion National Monument within Zion National Park..... | Act of July 11, 1956 178     |
| Revision of boundaries of park.....                                                    | Act of February 20, 1960 178 |

An Act To include the present area of Zion National Monument within Zion National Park, in the State of Utah, and for other purposes, approved July 11, 1956 (70 Stat. 527)

Zion National  
Park.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of combining Zion National Park and Zion National Monument, Utah, in a single national park unit, in the interest of efficient administration and to preserve adequately the features thereof, Zion National Park hereafter shall comprise the present area of the National Park and the present area of the Zion National Monument: *Provided*, That the enactment of this Act shall not affect adversely any valid rights or privileges heretofore existing within the areas hereby established as the Zion National Park. (16 U.S.C. § 346b.)

Administra-  
tion.

SEC. 2. The Secretary of the Interior is authorized to administer Zion National Park as hereby established in accordance with his authority over the park heretofore granted by the Congress and in accordance with the general laws governing areas of the national park system. (16 U.S.C. § 346c.)

Funds.

SEC. 3. All funds heretofore made available for purposes of Zion National Park and Zion National Monument may be used for purposes of Zion National Park as established by this Act. (16 U.S.C. § 346d.)

An Act To revise the boundaries of the Zion National Park in the State of Utah, and for other purposes, approved February 20, 1960 (74 Stat. 4)

Zion National  
Park, Utah.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the boundaries of the Zion National Park are hereby revised to include the following described lands:

SALT LAKE MERIDIAN

Township 39 south, range 10 west: Section 30, those portions of lots 1 to 7, inclusive, lying south of Kolob Creek and lots 8 to 32, inclusive; section 31, lots 1, 2, 3, 15, 16, 17, 18, 31 and 32.

Township 41 south, range 10 west: Section 28, northeast quarter, that portion of the northwest quarter lying east of the North Fork of the Virgin River and lot 9 of the O. D. Gifford survey, the ownership of which is recorded on page 247 of deed book U12 in Washington County, Utah; section 29, west half; section 31; section 32 (partly surveyed), northeast quarter northwest quarter and west half northwest quarter.

Township 39 south, range 11 west: Section 13, southeast quarter southeast quarter; section 32, north half and southeast quarter.

Township 40 south, range 11 west: Section 5, lots 1 and 2 and south half northeast quarter.

Township 38 south, range 12 west: Section 29, those portions of lot 2 and of the southwest quarter lying east of the easterly right-of-way line of United States Highway 91, identified as project numbered I-01-1(1), Washington County, Utah, said line being 150 feet from and parallel the centerline of such highway, as constructed. (16 U.S.C. § 346a-1 [Supp. II].)

SEC. 2. Privately owned land, or interests therein, within the aforesaid revised boundary may be acquired by the Secretary of the Interior by purchase, donation, with donated funds, or by such other means as the Secretary may consider to be in the public interest. When acquired, such land and interests in land shall be administered as a part of the Zion National Park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended. (16 U.S.C. § 346a-2 [Supp. II].)

Acquisition  
of land.

16 U.S.C. 1-4.

SEC. 3. The Secretary of the Interior is authorized to convey to the Utah State Road Commission under such terms and conditions as he may deem necessary such lands or interests in land in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian, containing approximately four and one-half acres, as are required by the Commission for the realignment and construction of United States Highway 91: *Provided*, That in exchange, the State of Utah constructs an interchange of design, type, and location acceptable to the Secretary which will provide vehicular access between the said highway and Zion National Park. Such conveyed lands shall thereafter be considered as excluded from the Zion National Park and the easterly right-of-way line of United States Highway 91, identified as project numbered I-01-1(1), Washington County, Utah, shall become the westerly boundary of the Zion National Park in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian. (16 U.S.C. § 346a-3 [Supp. II].)

Land convey-  
ance.



Grazing area, Lava Cave Valley, Tract 01-170 et al, Zion National Park



Grazing area, Lava Cave Valley, Zion National Park



Recreational cabin site, Tract 06-140, Zion National Park



Recreational cabin site, Tract 06-131



Commercial gravel pit area, Tract 06-111, Zion National Park



Commercial area - former tavern, Tract 06-138



SAMPLE

CONSERVATION EASEMENT TERMS AND CONDITIONS

THE RESTRICTIONS HEREBY IMPOSED ON THE LAND, THE ACTS WHICH THE GRANTOR PROMISES TO DO OR REFRAIN FROM DOING UPON THE LAND AND THE RIGHTS IN AND TO THE LAND GRANTED TO THE UNITED STATES OF AMERICA AND ITS ASSIGNS BY THE GRANTOR ARE AS FOLLOWS:

(1) Unless otherwise stated herein, this easement shall not affect, without the grantor's consent, continuation of the existing use of the property as exercised prior to the acquisition of this easement.

(2) This easement shall not be construed as granting the public any right to enter or use the land for any purpose.

(3) Travels trailers, motor homes or mobile homes may not be permanently placed on or affixed to the land or used for temporary or permanent occupancy. Storage only of the owner's personal travel trailer, motor home or recreational vehicles and equipment will be permitted only in areas already developed with a residence and only with the prior written permission of the National Park Service.

(4) No subdivision of the land or additional construction of dwellings or structures will be permitted on the land except construction of accessory buildings and facilities necessary to the use of existing structures will be allowed if approved in advance in writing by the National Park Service.

(5) The grantor shall have the right to (A) perform all regular and ordinary maintenance to all existing structures, buildings, fences, grounds and access roads; (B) replace, for any reason, any existing structure with another of the same size and in the same location; and (C) to repair, or rebuild to no greater than former size, any existing buildings or structures which are damaged by fire, storm or other casualty.

(6) The land shall not be used for any mining, quarrying, sand and gravel removal, industrial or commercial activity whatsoever, nor shall the grantor make or permit any change in the character, use or topography of the land which would alter the scenic character of the property, affect the scenic enjoyment of the property by the general public or cause permanent destruction of any significant conservation interest in the land, whether or not such interest is specifically mentioned in this easement.

(7) No accumulation or dumping of trash or unsightly materials shall be permitted on the land and no signs, billboards or advertisements shall be displayed or placed upon the land, except that one sign, not greater than 24 inches by 30 inches in size, advertising the sale or lease of the land, may be displayed on appropriate occasions.

(8) Cutting, trimming, destroying or removal of trees, grasses, brush, or shrubbery shall be permitted on the land, in accordance with sound environmental principles, only if such action is (A) necessary for the maintenance of existing routes of ingress and egress to or from the lands, (B) necessary to the maintenance of the existing yard area of an existing residence, (C) necessary for the protection and safety of existing dwellings and accessory buildings, or (D) necessary for the safety and well-being of authorized persons using or occupying the land. All additional activities of this type shall require the prior written approval of the National Park Service.

(9) Gardens and other cultivated areas surrounding buildings and other structures and facilities may be maintained in a manner in keeping with their existing use; provided, however, that no pesticides shall be used, or other practices followed, which would significantly injure or destroy the relatively natural ecosystem now existing.

(10) The National Park Service, its agents, employees and assigns, shall have the right, upon reasonable notice, to enter upon and cross the land only to determine compliance with the terms of this easement. Reasonable verbal or written notice of intent to enter said lands shall be given by the National Park Service to the grantor and existing roads or other normally travelled routes shall be utilized wherever practicable except in instances of fire, police action, rescue action or other circumstances of an emergency or similar nature.

(11) The land shall not be used for public utility purposes other than as necessary, in connection with a permitted use of this land as provided herein.

(12) The National Park Service may take any legal action necessary to have removed from the land any unauthorized signs, personal property, or structures, or to require compliance with any of the terms of the easement. Written notice of intent to take such action or require such compliance shall be sent to the grantor ten (10) days in advance by the National Park Service. Removal of items or required compliance with the terms of this easement under such notice shall be at the expense of the grantor.

(13) The National Park Service agrees to furnish written determinations within a reasonable period of time whenever the grantor submits a written request for approval of some action proposed to be taken under the terms of this easement.

(14) The grantor agrees that any future transfer, sale, leasing or conveyance of any interest in the land or any agreement for use of the land, whether verbal or written, shall include a reference indicating that the transaction is subject to the terms of this easement.

(15) In the event the United States should acquire the fee simple absolute ownership in and to said lands, including the improvements, at some future time, by any means whatsoever, it shall pay the then owner(s) of the estate \_\_\_\_\_ percent of the then fair market value of said lands only, undiminished in value by the then fair market value of the subject easement, said easement presently representing \_\_\_\_\_ percent of the present fair market value of the land. In addition thereto, the United States shall also pay the then owner(s) of the improvements, if any, the entire contributory fair market value of the improvements to the then fair market value of the fee simple absolute ownership.

(16) The terms and conditions of this easement shall run with the land, and bind the grantor and the United States of America, and assigns, in perpetuity.

NOTE: This is a sample easement only. Individual tract characteristics or specific resource protection needs may necessitate negotiating with the landowner to change, eliminate or add certain requirements and conditions. Such changes, if necessary, would be completed prior to the appraisal of the land.

ALTERNATIVES FOR PROTECTING  
PARK RESOURCE VALUES ON NONFEDERAL  
LANDS WITHIN ZION NATIONAL PARK

ENVIRONMENTAL ASSESSMENT

## I. STATEMENT OF PURPOSE AND NEED

The proposed action is to implement a new land protection plan for Zion National Park which will adequately protect park resources on non-federal land in the park in accordance with U.S. Department of Interior and National Park Service policy.

On May 7, 1982, the Department of the Interior adopted a new policy concerning the use of the federal portion of the Land and Water Conservation Fund (47 FR 19784), and directed affected agencies to change their land acquisition policies and procedures as appropriate. The new National Park Service Land Protection Policy and Guidelines (February 14, 1983) directs each area in the system containing private or other non-federal land within its authorized boundary to prepare a land protection plan. The proposed plan will replace the park's existing Land Acquisition Plan which applies to the non-federal lands within the park.

The Zion area was originally protected by Presidential Proclamation No. 877 on July 31, 1909, when President Taft established Mukuntuweap National Monument. In 1918, the monument was enlarged and the name changed to Zion National Monument. The area was increased in size at this time for the purpose of protecting " . . . unusual archeological, geological and geographical interests . . .", and to provide opportunities for visitor enjoyment of its grandeur and scenic features. The proclamation also states that the entire area should be preserved intact for the purpose of scientific research and for the enjoyment and enlightenment of the public. The monument received National Park status in 1919. A proclamation in 1937 created Zion National Monument to the northwest of the park preserving the Kolob Finger Canyons. An Act of Congress in 1956 combined the two units. In 1960, several small parcels of land were added to the park to form present-day Zion National Park. The combining of the two units in 1956 created most of the inholding areas in the park. This assessment of alternatives discusses the methods available to protect park values and evaluates the impacts of these alternatives on the park.

### Affected Environment

Zion National Park was established to protect the scenic, archeological and geographical values and to protect the plant and animal life in the area.

### Scenery

The park's scenic values are generally described in the park's Master Plan (Zion National Park, 1975) and the wilderness recommendation (1974). These values are seen as vistas of spectacular diverse natural landscape. It is important to maintain the integrity of this natural scene and to protect the attendant wildlife and vegetative communities.

### Vegetation

The vegetation types in the area where the inholdings are located are comprised of three main groups: Ponderosa pine complex, oak complex and sagebrush/pinyon juniper complex.

### Ponderosa Pine

This community covers some of the slopes and tops of the major land features in the area. The soils are mainly sandy loams, poorly developed with little water holding capacity. Ponderosa Pine (Pinus ponderosa) and Douglas fir (Pseudotsuga menziesii) are located on the semi-barren rockland with small stands of white fir (Abies concolor), manzanita (Arctostaphylos sp.) and Gambel's oak (Quercus gambelli). This area has been somewhat modified by grazing activities and the suppression of natural fires.

### Oak

This vegetative community covers the intermediate slopes and some upland areas. Soils are coarse sandy loams with some silt loams and are easily erodable. The vegetation is comprised of Gambell oak (Quercus gambelli), mountain mahogany (Cercocarpus sp.) and sagebrush (Artemisia sp.). Fire suppression has caused some changes in these communities. Activities in the area through agricultural use has also caused some changes.

### Sagebrush/Pinyon-Juniper

This vegetative community covers most of the lower slopes and valleys. Soils are sandy loams and alluvial soils. Both types are very fine soils and easily erodable. The vegetation is primarily sagebrush (Artemisia sp.), with patches of pinyon pine (Pinus sp.) and juniper (Juniperus sp.). Natural fire has been suppressed in the area and, therefore, some ladder fuels have developed. Agricultural activities have created some changes in the vegetative mosaic in certain areas.

### Plant Species of Concern

There are several plants in Zion that are of special concern because of their narrow habitat requirements and scarcity. These species are discussed in detail in the park's Natural Resources Management Plan. No survey has been done on private lands so it is unknown whether any of these species are found on in-holdings.

### Animals

Faunal species are represented by 72 species of mammals, 271 species of birds, 26 species of reptiles, seven species of fish and a variety of interbrates. Migratory species also utilize habitats inside the park. Some species have been extirpated from the park in the past such as wapiti (Cervus canadensis) and black bear (Ursus americanus).

The endangered peregrine falcon (Falco peregrinus anatum) is located in the park. Several species that are considered as sensitive or limited by the State of Utah are located in the park. These are the spotted owl (Strix occidentalis), the Virgin River spinedace (Lepidomeda mollispinis mollispinis) and the bald eagle (Haliaeetus leucocephalus). The spotted owl and the Virgin River spinedace are residents in the park. The bald eagle is a winter visitor.

The more common species are the mule deer (Odocoileus hemionus) and the desert bighorn sheep (Ovis canadensis nelsoni). The numbers of mule deer in the park is not known but a healthy herd exists on the mesa areas. The desert bighorn sheep are found mainly on the east side of the park.

## Alternatives

### A. No Action (Maintain Current Management Policy)

Under this alternative, present management policies will be continued. Present uses would continue and resource changes will continue to occur for an undetermined period of time. Proper management of park lands that are intermingled with non-federal lands would continue to be hampered. The environmental impacts of this alternative would be some degree of deterioration of the resource values on a temporary basis. Wildlife populations would continue to be disturbed and competition for forage will continue. Mitigation will be exercised as needed and where practical.

### B. Federal Resources and Environmental Regulations

Under this alternative, if any of the mineral estate leases were activated, the National Park Service mineral management regulations (36 CFR 9B) would govern access and all activities relative to the exercise of existing leases associated with the recently acquired State mineral interests. The impacts of this alternative would depend upon the amount of activity allowed under 36 CFR 9B. Wildlife would be disturbed for an undetermined period of time. Depending upon the extent of the activity, vegetation loss would occur along with some water degradation. Mitigation under 36 CFR 9B would occur where needed.

### C. Cooperative Agreement

This alternative could help relieve some of the concerns listed under the various groups. Its protection of resource values could contribute to resource protection if voluntary agreements could be reached. Since there is no binding element in this method, this alternative may only be considered as a short term solution. The impact of this alternative varies with the success of the conditions in the cooperative agreements. Changes in ownership or cancellation of the agreement would leave the resources without an adequate means of protection. Wildlife, scenic values and other resources could be benefited if adequate agreements could be designed.

### D. Partial Acquisition

Under this alternative, some environmental aspects of some of the tracts could be enhanced by limiting certain activities that have an impact on resource values. If effective easements were obtained, this method could go a long way toward resolving some of the park's environmental concerns. Wildlife conditions could be improved and water and vegetation status should be enhanced. Easements would be sought on a voluntary basis. If easements were not successful, then resource values would still be at risk.

E. Full Acquisition

This alternative would resolve all the concerns listed in the plan and also resolve the environmental concerns. Obviously, this method would provide the greatest protection of the park's environment. The methods employed whether by exchange, donation or purchase would achieve the same goal. The environmental impacts of this alternative would be very beneficial to resource values. Wildlife conditions would be improved and water and vegetation should be enhanced.

The above section briefly discusses the environmental impacts of each type of alternative. Each tract must be evaluated separately and conditions differ from unit to unit. This assessment recognizes the need for latitude in dealing with the stated concerns and notes that most of the alternatives listed would benefit the environment.

# ENVIRONMENTAL ASSESSMENT - SUMMARY OF ALTERNATIVES

| Non-federal<br>Land Use<br>Category | Alternative<br>For Land<br>Protection | Endangered<br>Species | Physical Compo-<br>Wildlife & nents Soil,<br>Vegetation Water, etc. |   | Cultural<br>Resources | Socio-<br>economic | Aesthetics | Cost* |
|-------------------------------------|---------------------------------------|-----------------------|---------------------------------------------------------------------|---|-----------------------|--------------------|------------|-------|
|                                     |                                       |                       |                                                                     |   |                       |                    |            |       |
| Grazing<br>Group                    | A. No Action                          | 5                     | 4                                                                   | 4 | 5                     | 2                  | 3          | 2     |
|                                     | B. Cooperative Agreement              | 5                     | 3                                                                   | 3 | 5                     | 2                  | 2          | 2     |
|                                     | C. Easement Acquisition               | 5                     | 3                                                                   | 3 | 5                     | 2-3                | 2          | 4     |
|                                     | D. Acquisition                        | 1                     | 1                                                                   | 1 | 1                     | 3                  | 1          | 4     |
| Development<br>Potential<br>Group   | A. No Actiona                         | 5                     | 3                                                                   | 3 | 5                     | 2                  | 3          | 2     |
|                                     | B. Cooperative Agreement              | 5                     | 2                                                                   | 2 | 5                     | 2-3                | 1          | 2     |
|                                     | C. Easement Acquisition               | 5                     | 2                                                                   | 2 | 5                     | 2-3                | 1          | 4     |
|                                     | D. Acquisition                        | 1                     | 1                                                                   | 1 | 1                     | 3                  | 1          | 4     |
| Recreational<br>Cabin Site<br>Group | A. No Actiona                         | 5                     | 3                                                                   | 3 | 5                     | 2                  | 3          | 2     |
|                                     | B. Cooperative Agreement              | 5                     | 2                                                                   | 2 | 5                     | 2-3                | 3          | 2     |
|                                     | C. Easement Acquisition               | 5                     | 2                                                                   | 2 | 5                     | 2-3                | 3          | 4     |
|                                     | D. Acquisitions                       | 1                     | 1                                                                   | 1 | 1                     | 3                  | 1          | 4     |
| Commercial<br>Group                 | A. No Actiona                         | 5                     | 4                                                                   | 4 | 5                     | 2                  | 4          | 2     |
|                                     | B. Cooperative Agreement              | 5                     | 4                                                                   | 4 | 5                     | 2                  | 4          | 2     |
|                                     | C. Easement Acquisition               | 5                     | 4                                                                   | 4 | 5                     | 2                  | 4          | 4     |
|                                     | D. Acquisition                        | 1                     | 1                                                                   | 1 | 1                     | 3                  | 1          | 4     |
| Mineral<br>Estate<br>Group          | A. No Actiona                         | 5                     | 4                                                                   | 4 | 5                     | 2                  | 4          | 2     |
|                                     | B. Federal Regulations                | 1                     | 1                                                                   | 1 | 1                     | 2                  | 1          | 2     |
|                                     | C. Cooperative Agreement              | 1                     | 1                                                                   | 1 | 1                     | 2                  | 1          | 2     |
|                                     | D. Easement Acquisition               | 1                     | 1                                                                   | 1 | 1                     | 2                  | 1          | 4     |
|                                     | E. Acquisition                        | 1                     | 1                                                                   | 1 | 1                     | 3                  | 1          | 4     |

## Legend:

- 1 - No cost or impact
- 2 - Low cost or impact
- 3 - Moderate cost or impact
- 4 - High cost or impact
- 5 - Insufficient data to make valid rating. Surveys of this resource have not been conducted on private lands.

a - The no action alternative is a continuation of current management policy.

\* - Costs reflect NPS monitoring and management action.

## LAND PROTECTION PLAN

## ZION NATIONAL PARK

INTRODUCTION-RESPONSE TO COMMENTS

The Land Protection Plan for Zion National Park is a document to facilitate planning and management of private lands inside the park. The plan was submitted for public review and comment. Comments were received from two government organizations and four individuals. Comments received were given consideration in writing the final plan and all relevant comments were addressed. Some comments requested clarification or raised questions that have been addressed in the rewrite of the plan. One comment provided new data on the population numbers for Washington County. These figures have been changed in the plan. One comment provided information regarding the zoning and land ordinances for the county. The portion on county zoning has been rewritten to reflect this information. Several comments were received expressing the opinion that the Park Service does not have the right to address the activities on private lands. The National Park Service has numerous Congressional mandates that require the Service to be aware of activities in its units that may have some impact on the resource values of the parks. The plan covers resource concerns relative to park values and the activities on inholdings in the park. The plan provides a guideline for the management and planning for land protection within Zion National Park.

Magnitude of the Project

- |                                                                                       |     |
|---------------------------------------------------------------------------------------|-----|
| 1. Major federal action, significant effects                                          | No  |
| 2. Federal operation                                                                  | Yes |
| 3. Substantive adverse impacts                                                        | No  |
| 4. Highly controversial                                                               | No  |
| 5. First Time precedent setting                                                       | No  |
| 6. Commits Service to future action for patrol, resource protection and public safety | Yes |

Recommendation

Based on a review and evaluation of the Land Protection Plan and assessment, the plan is recommended as the environmentally preferred method to accomplish land protection goals for the park.

Finding of No Significant Impact

A review of the assessment of alternatives indicates that effects resulting from the proposed action will not have a significant impact on the environment. The plan should have a beneficial impact on park resources. Therefore, an environmental impact statement will not be prepared for this plan.

Recommended By Harold L. Lape Date 5/11/84  
Superintendent

Approved By \_\_\_\_\_ Date \_\_\_\_\_  
Regional Director  
Rocky Mountain Region

APPENDIX "F"

